

WASHINGTON METROPOLITAN AREA TRANSIT COMMISSION

WASHINGTON, DC

ORDER NO. 3551

IN THE MATTER OF:

Served September 11, 1990

Application of DIPLOMAT LIMOUSINE	)	Case No. AP-90-31
AND LIVERY SERVICE, INC., for	)	
Temporary Authority to Conduct	)	
Charter Operations Pursuant to	)	
Contract with U.S. Department of	)	
the Interior, Fish and Wildlife	)	
Service	)	

By application filed September 6, 1990, Diplomat Limousine and Livery Service, Inc. (Diplomat or applicant), a Maryland corporation, seeks temporary authority to transport passengers, together with mail, express, and baggage in the same vehicle as passengers, in charter operations between the Arlington Square Building (4401 North Fairfax Drive, Arlington, VA) and the Main Interior Building (1849 C Street, N.W., Washington, DC) pursuant to a contract with the United States Department of the Interior, Fish and Wildlife Service (FWS).

Applicant proposes to shuttle employees of FWS between the two named sites on a scheduled basis from 8 a.m. and 5 p.m., Monday through Friday, except federal holidays. Diplomat would perform the service using one 21-passenger vehicle (including the driver).

The proposed contract is for the period October 1, 1990, through September 30, 1991, with four additional one-year options that may be exercised by FWS. Diplomat has applied for temporary authority which, if granted, is limited to a maximum of 180 days. See Compact, Title II, Article XII, Section 4(d)(3). Accordingly, temporary authority would be inadequate to provide even for the initial term of the contract. It is further noted that the proposed contract has not been executed, and is supported by a letter from the FWS contracting officer. An executed agreement will be required as a condition precedent to a grant of temporary authority.

The FWS contracting officer states that FWS has received approval from the Small Business Administration (SBA) to negotiate the agreement with Diplomat. The agreement will be under SBA's Section 8(a) program. FWS's current contract expires September 30, 1990, and is with a carrier that has graduated from, and is no longer eligible under, the 8(a) program. "Therefore," according to this officer, "this temporary authorization is urgently needed to continue this service after September 30, 1990."

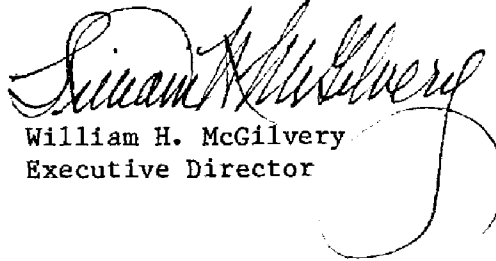
Applicant submitted the required financial data in support of its application.

The standards for temporary authority are set forth in the Compact, Title II, Article XII, Section 4(d)(3). The essential elements are (1) an immediate and urgent need for service, (2) no other carrier capable of meeting such need, and (3) fitness of the applicant. This order will provide notice of Diplomat's application, and a brief period will be established for the filing of protests, if any. Each protest must be accompanied by all evidence and argument upon which protestant would rely. No extension of time will be granted. The application is available for inspection at the office of the Commission during its regular business hours.

Any person desiring to protest this application shall file a notarized protest in conformance with Commission Rule No. 14, together with all evidence and argument on which protestant would rely, at the office of the Commission, 1828 L Street, N.W., Suite 703, Washington, DC 20036-5104, no later than Thursday, September 20, 1990, and simultaneously shall serve a copy of such protest and evidence and/or argument on Mr. Peter McGhee, 110 South Floyd Street, Alexandria, VA 22304.

IT IS SO ORDERED.

FOR THE COMMISSION:



William H. McGilvery  
Executive Director